

## REMARKS

In accordance with the foregoing, claims 1-3 are amended. Claims 4-6 are added. No new matter is added. Claims 1-6 are pending and under consideration.

### CLAIM REJECTIONS UNDER 35 USC § 102

Claims 1-8 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No 4,674,737 to Murayoshi (hereinafter "Murayoshi")

In the amendment filed on June 25, 2008, Applicants argued that Murayoshi does not anticipate or render obvious "wherein the pad pressing means is configured to be rotatable back and forth with respect to the rotating direction of the pick roller about a fulcrum where pressure is applied to the pad pressing means" as recited in independent claim 1.

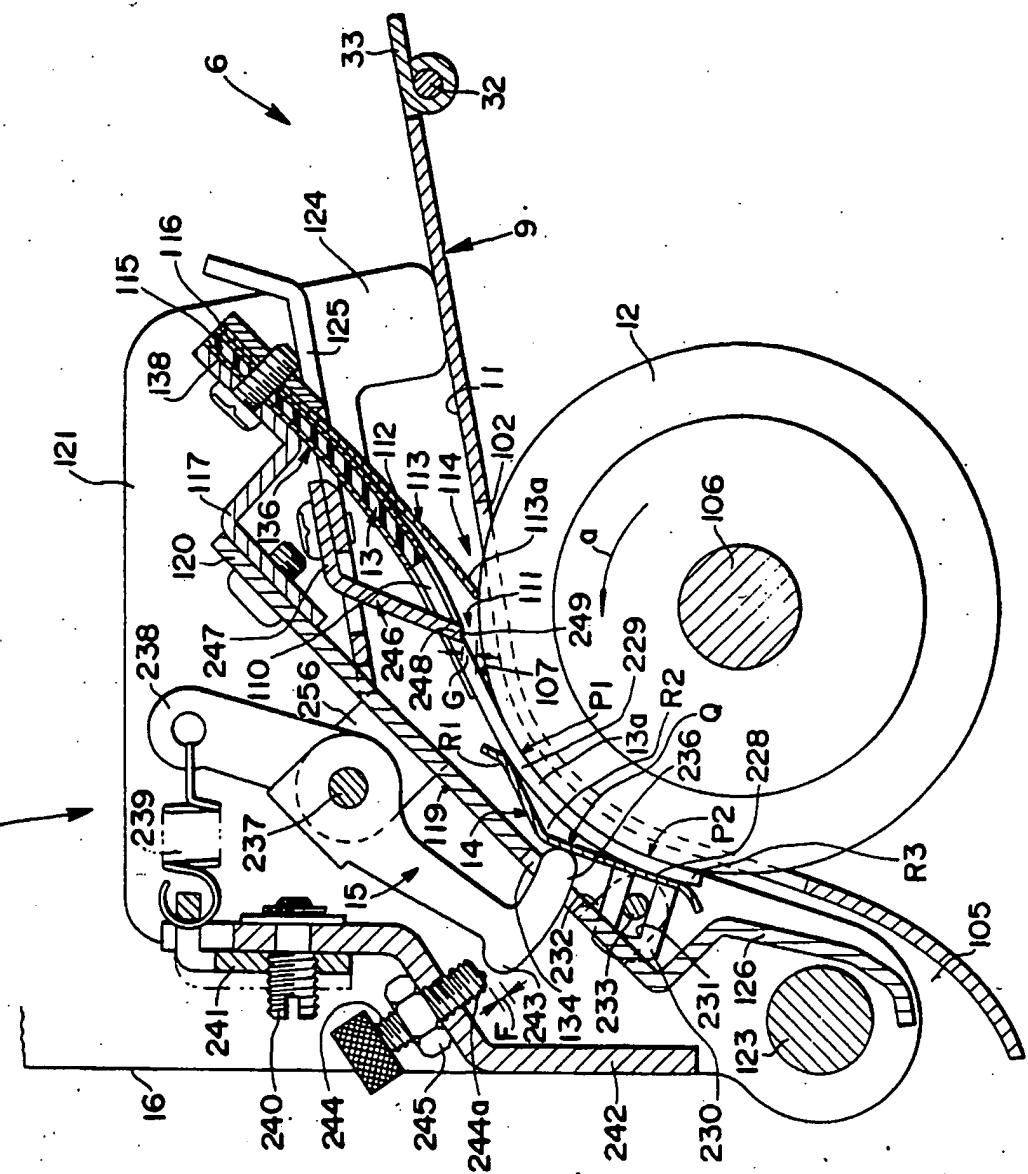
The current Office Action indicates the pressing plate 14 in FIG. 12 as corresponding to the pad pressing means, and then asserts "the pad pressing means is configured to be rotatable back and forth with respect to the rotating direction of the pick roller about a fulcrum 552 where pressure is applied to the pad pressing means." See the last paragraph on page 2 of the outstanding Office Action.

However, element 552 in FIG. 12 of Murayoshi is not a fulcrum, and the pressing plate 14 is not configured to be rotatable around element 552. As described on col. 8, lines 3- of Murayoshi, "the pressing plate 14 is supported by a bar 552 which in turn is supported by a bent portion 551 of a bracket 550 for pivotal movement and movement toward and away from the separation roller 12 radially thereof." Thus, element 552 can be rotated away from the pressing plate 14, but the pressing plate 14 is not rotatable around element 552 which is not a fulcrum.

Further, in the "Response to Arguments" section of the outstanding Office Action, the Examiner asserts that "a description of a similar embodiment explicitly indicates that the fulcrum is loosely inserted in the slots to allow pivotal movement. See col. 7, lines 36-45." The indicated portion of Murayoshi and corresponding FIG. 3 are reproduced below:

Meanwhile, the support member 119 is formed, as shown in FIG. 3, at an opposite end portion with a pair of upright portions 23 (only one is shown) which extend downwardly to support a guide shaft 233 which is loosely inserted in the slots 231 formed in the support portions 230. This structural arrangement permits the pressing plate 14 to move in pivotal movement about the guide shaft 233 and allows same to move radially of the separation roller 12 within a range restricted by the length of the slots 231.

FIG. 3



The arrangement illustrated in FIG. 3 and described in the indicated portion of Murayoshi does not anticipate "the pad pressing means is configured to be **rotatable back and forth with respect to the rotating direction of the pick roller about a fulcrum where pressure is applied to the pad pressing means.**" The pressure applying arm 15 in FIG. 3 applies pressure to the pressing plate 14 in point Q. Murayoshi does not teach or suggest a fulcrum being located in point Q or the pressing plate 14 being rotatable back and forth with respect to the rotating direction about the point Q.

Further in the "Response to Arguments" section, the Examiner asserts "the fulcrum 552 must be freely movable in order for the pressing force at point P2 to be adjustable." Applicants

respectfully submit that element 552 in FIG. 12 is not a fulcrum (see above) and that having an adjustable force applied at P2 is irrelevant relative to the above-identified feature that Murayoshi fails to anticipate.

Additionally, Applicants respectfully submit that the pressing plate 14 in Murayoshi has a V shape and not a U-shape. A person of ordinary skill in the art would recognize that a U-shape element as opposed to a V-shaped element has a portion at a different angle than each of the straight ending portions located between the two ending portions.

In view of the above, Applicants respectfully submit that independent claim 1 and claims 2-7 depending directly or indirectly from claim 1, patentably distinguish over the prior art at least because Murayoshi fails to anticipate:

pad pressing means, applying pressure to the separation pad so as to press the separation pad against a surface of the pick roller, the pad pressing means having a reverse U-shape to press the separation pad against the surface of the pick roller at two portions, a front portion and a rear portion, along a rotating direction of the pick roller thereof, wherein the pad pressing means is configured to be rotatable back and forth with respect to the rotating direction of the pick roller about a fulcrum where pressure is applied to the pad pressing means.

Independent claim 8 patentably distinguishes over Murayoshi at least by reciting "rotating the pad pressing means about a fulcrum where pressure is applied to the pad pressing means." Contrary to the position expressed in the outstanding Office Action, the pressing plate 14 in Murayoshi does not rotate around the bar 552, which is NOT a fulcrum.

## **CONCLUSION**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Serial No. 10/580,211

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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